G. R. S. IX-5]

Previous references.

1928

(MWZ—)

File No. 26

Serial Nos. 13/14

Later references.

Rmz Dep no 201 of 29-30

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for June 20

SUBJECT.

Representation of the J
of Sivanasamudram

Jahajdar No 4416 Dy 24.6.20
Replying to the

WD 1888—GPB—16,826—23-7 21

To No. 138

REPLY.

(To be written on this margin.)

D. 1489.

DEWAN'S OFFICE.
Recd. on FEB 5 1920
Reg. No. 5348.

2/18/13

Gr 8

it/27/1/20

3057
9/2/20

WD 243—GPB—2,000—2 8 18

Office of the Dewan of Mysore.

NOTE

Dated 26th January *1920*

The Dewan will be glad if a short Note on the points raised in the enclosed extract from a Memo submitted by the Jaghirdar of Shivasamudram is prepared for his perusal and orders, at a very early date.

By order,

C Ramaswamy Iyengar
Private Secretary to Dewan.

Forwarded, with compliments, to the Secretary to Government, Muzrai Department.

A note is put up
Third Member's o/c —
and Dewan
2/3/20

SIVASAMUDRAM DEVASTHANAMS.

(a) Sannad grants to the Jagirdar the Inam Villages Puregali and Kaglipur once for all -undisputed- alienable.

(b) No reason to call him a trustee.*

(c) The temples are Jaghirdar's own.

(d) Figures furnished in the Legislative Council incorrect.*

(e) Average expenditure is Rs. 10,000 and odd including all charges but not Rs. 5,134.* Average income in the two Inam Villages is also about Rs. 10,000 and odd.

(f) The balance to the credit of Inam Villages at the end of 1917-18 is shewn as Rs. 23,414-14-10.* But the fact that a loan of Rs. 25,000 was taken from the ayan so far back as 1907 but remained undischarged at the time is overlooked.

(g) The proposal to appoint a special Peishkar by the Government is quite uncalled for.

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* Vide Mysore Gazette dated 3rd October 1919.

" Extract. "

G.R.S. III—3]

Shivanandram Jaghirdars Requisition

Routine Notes. Nov 3 file

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Seen.

A reply may be given definitely - answering the points raised by the Jaghirdar so that no further representations may be made by him on these very points.

28-6-20

Draft rej 30/4/20

1-5-20

30/5/20

N B—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III-2]

General and Revenue Secretariat.

Mer File No. 26 of 1918.

Serial No.

Draft put up -

89
30.5.20

(Sd) 30/5/20

(To see)

Sd 31/5/20

Re-draft put up

Sd 9.6.20

(To see)

(Second member) Sd 9/6/20

7436-161
10-6-920.

The draft seems to me to be suitable. It may be submitted to the Diwan for approval before issue.

9/11/15
K.S.C.

DEWAN'S OFFICE.
Recd. on JUN 12 1920
Reg. No. 8142

(Diwan) Sd 11/6/20

seen
Sd
17.6.20

Sd 18/6/20

Sd 18/6

14 Dr. Gahsindas, Srivasanmdas Sahgir.
No. 4416 dy. 24th 6. 20.
Answers the several points raised by the Sirshtadar in the matter

NOTE—Contn. Sheet.

4416
Inspn 26-18-14
& 24.6.20.

To

The Jahagirdar of Sivasamudram,

SIVASAMUDRAM.

Sir,

I am directed to acknowledge the receipt of the memo presented by you to the Dewan, containing ~~several~~ certain representations relative to the management of the ~~affairs of the~~ temples at Sivasamudram and, in reply, to state as follows:--

Regarding ~~your representations that~~ -

(a)"the Sannad grants to the Jahagirdar the Inam Villages Purigal and Kaliapur once for all-undisputed-alienable,"

(b)"that there is no reason to call him a trustee" and

(c)"that the temples are the Jagirdar's own;" I am to state that according to the Inam Settlement, the villages of Purigal and Kaliapura are Inams granted in favour of "Ranganathaswami and Archakar at Sivasamudram," the Jagirdar having been registered as merely "Manager of the time being" and that as such, the Jagirdar is only a trustee. In this connection, I am to ~~draw your~~ invite attention to the memo presented by you to the Dewan under date 20th May 1914, in which you have acknowledged on behalf of yourself and your descendants that "these villages are held in trust for the said charities" and have admitted your liability to maintain regular and separate accounts of income and expenditure thereof and to ~~xxxxx point~~ observe out -- that it is not open to you ~~to~~ to go behind

these admissions of yours and the orders passed by the Government thereon.

3. As regards the representations that the

(d) figures furnished in the Legislative Council meeting are incorrect, that the

(e) average expenditure is Rs.10,000/- and not Rs.5,134/- and that the average income of the two Inam Villages is also about Rs.10,000/- and odd, and that

(f) the balance at the credit of the Inam villages at the end of 1917-18 has been shewn as Rs.26,414-14-10, overlooking the fact that a loan of Rs.25,000/- had been taken from the ayan so far back as 1907 and remained undischarged at the time,

I am to state that the figures given in the Legislative Council are based on the accounts furnished by you to Mr.G.Aravamudu Iyengar, Muzrai Superintendent, during the latter's inspection of the Sivasamudra -- Institutions in September 1918. According to these accounts the average expenditure incurred only for the services in the temples and the feeding at the Chattram -- for five years from 1913-14 to 1917-18 -- works out at Rs.5,134/-; and this is exclusive of such charges as Law Costs, the Jaghir Office and Revenue Establishment, Cess, Water-rate, Channel Maintenance, etc. The balance of Rs.26,414-14-10, at the credit of the Inam villages at the end of

SIVASAMUDRAM JAHGIR CHARITIES.

Representation of the Jahgirdar.

(a) Sannad grants to the Jahgirdar the inam villages - Purigal and Kaglipur - once for all undisputed alienable.

(b) No reason to call him a Trustee.

(c) The temples are Jahgirdar's own.

I put up herewith a printed copy of a Memorandum dated 5th. Aug. 1898 prepared by Sir Sheshadri Iyer on a similar representation made by the present Jahgirdar's mother and guardian. Reference is invited to paras 6 and 7 thereof in which he has clearly shown that the villages are inams granted in favour of "Ranganathaswami and Agrahar etc., " at Sivasamudram, that Mr. T. Anandaraya Mudaliar (the Jahgirdar) was registered as merely " manager for the time being " and that as such he was only a Trustee.

2. The Jahgirdar raised the same question in 1908 after he attained majority; it was discussed in Council and the Jahgirdar was heard.

3. Before final orders were passed, the Jahgirdar presented a Memorial dated 20th. May 1914 in which he acknowledged on behalf of himself and his descendants that " these villages are held in trust for the said charities " and also admitted his liability to maintain regular and separate accounts of income and expenditure thereof.

4. After receiving this Memorial the Government passed their final order No.845-8 M.F.790-08-7 dated 31st. Oct.14

defining the position and responsibilities of the Jaghirdar in respect of the temples and other charities in Sivasamudram and the two villages in question endowed to them as Devadaya Inam. It is not open now to the Jaghirdar therefore to go behind these orders and his admissions.

5. I append also for ready reference copies of the following communications and orders which explain the course of the correspondence and - - decisions in the past.

1. Note on Sivasamudram Jaghir by the Honorable the Resident dated 5th June '98.

2. Copy of letter No.879 dated 26th December '99 from the Government of Madras.

3. Copy of letter to the First Assistant to the Honorable the Resident No.855 dated 9th February 1900.

4. Copy of Government Proceedings No.552-4 dated 2nd August 1904.

5. Copy of Government Proceedings No.762-4 dated 8th August '05.

At the meeting of the Legislative Council held on 20th June 1919, Mr. Karnick Krishna Murti put some questions on the subject. ~~The questions on the subject~~. The questions and the reply of the Government are

Figures furnished in the Legislative Council incorrect.
Average expenditure is Rs.10,000/- and odd including all charges but not Rs.5,134. Average

income in the two Inam Villages is also about Rs.10,000/- and odd. The balance to the credit of Inam Villages at the end of 1917-18 is shown as Rs. 23,414-14-10. But the fact that a loan of Rs. 25,000/- was taken from the ayan so far back as 1907 but remained undischarged at the time is overlooked.

are shown below.

Questions

(By Mr.M.K.Krishnamurti Rao)

In regard to the Muzrai Institutions including the Siva and Vishnu temples and the Chattram on the Island of Sivasamudram will Government be pleased to state-

Answers

By Mr. K.S.Chandrasekhara Aiyar, B.A. B.L.,)

(1) (a) What is the annual Government grant sanctioned, or the revenue of the properties endowed for the maintenance of these institutions.

(1) (a) For the maintenance of the religious and charitable institutions in the island, two Sarva Inam villages, Purigal and Naglipur in the Malvalli Taluk, have been endowed. The average annual income from these villages for the five years ending 1917-18 is Rs.9,148 excluding items such as cesses collected by the management and paid to Government.

(b) Who manages them, and

(b) The Jaghirdar of Sivasamudram as Dharmakarta of the temple,

Questions

Answers

(c) What accounts, if any, he renders to Government in respect of his management?

(c) The Jaghirdar submits annually a report on the administration of the Charities noting briefly the income and expenditure under the various heads.

(2) What was the amount spent out of the grant or endowment -- realizations on account of,

(a) the Siva temple, (b) the Vishnu temple and (c) the -- Chattram individually during the past three years and how has the surplus or balance, if any, been utilized?

(2) The average annual expenditure on the three institutions is as follows:--

(a)	Someswara temple.	Rs.1,965-8-6
(b)	Ranganathaswami temple.	Rs.2,618-1-4
(c)	Chattram.	Rs. 551-0-0

There are besides a few small institutions in the island which are also maintained from the fund. The report furnished by the Jaghirdar for the year 1917-18 shows that there was a balance of Rs. 23,414-14-10 at the credit of the Charities.

(3) Whether it is true that-

(a) there is no Ashtabandhanam to either the Siva or the Ammanavaru idols in the Siva temple,

(b) the temple car was destroyed by fire about ten years ago and has not yet been replaced, and

(c) no new cook has been till now appointed in the place of the Chattram cook who was removed four years ago and that the Chattram has not been -- working since then?

(3) (a), (b) and (c). Enquiries will be made.

to Government, channel maintenance etc., The average of Jamabandy demand of the two villages is Rs.11760 and the collections have averaged Rs 10128/-. And according to the - - accounts furnished by the Jaghirdar there remained a balance of Rs. 18960-8-8 uncollected at the end of 1917-18 out of the arrears of previous years.

He next compains that the balance at the credit of the villages at the end of 1917-18 is shown as Rs.23,414-14-10 though a loan of Rs.25,000/- had been taken from the ayan so far back as 1907 and remained undischarged at the time. That the villages had a balance of Rs. 23,414-14-10 has been certified to by the Jaghirdar himself and there is no reference in the records of this Office about the grant of a loan of Rs.25,000/- by the Jaghirdar to the charities.

Jaghirdar's representation

(g) The proposal to appoint a special Peishkar by the Government is quite uncalled for.

The proposal to appoint a Peishkar is under consideration - - separately in connection with a - - scheme formulated by Mr.G.Aravamudu-Iyengar for the better management of the institutions at Sivasamudram. -- The Jaghirdar has communicated his unwillingness to accept many of the proposals of Mr. G.Aravamudu Iyengar

M U Z R A I

Read:---

Letter No.4047 dated 22nd July 1905, from the First Assistant to the Hon'ble the Resident in Mysore, stating that the minor Jahagirdar of Sivasamudram will attain his majority on the 2nd August 1905 and that in order to enable him after he assumes the management of the estate to collect the arrears of Revenue in the villages of the estate situated in the Mysore state including the two endowment villages of Purigal and Kaglipur, he may be given the - - necessary powers under the Land Revenue Code and that the temple jewels which are now in the joint custody of the Jahagirdar's mother and the Deputy Commissioner of Mysore may be handed over to the Jahagirdar.

Order thereon No.762-4 Muz.F.28-96 dated 8th August 1905.

On the 1st point referred to in the foregoing letter regarding the powers to be confirmed under the Land Revenue Code orders will be passed from the Revenue Department of the Government.

2. As regards the second point, the Deputy Commissioner, Mysore District, is requested to hand over to the Jahagirdar the temple jewels which are now in the joint custody of the Deputy Commissioner and the Jahagir-dar's mother, and obtain a receipt from the Jahagirdar sending copy thereof to this office for information. It is hoped that the Jahagirdar will keep these jewels in good repair for

the exclusive use of the temples.

3. The management of the endowment villages of Purigal and Kaglipur situated in the Malavalli Taluk which had been temporarily taken up by the Mysore Government having been made over to the Court of Wards in 1904 the Jahagirdar will, upon coming into possession of the villages be informed that he should keep the temples, the Agrahar and the Chattram referred to in the Sannad of the 24th December 1829, always in good repair, that he should conduct those institutions in an efficient manner and allow the Officers of the Mysore Government to inspect them and that it will always be open to the Mysore Government, in case of mismanagement, to reattach the villages. He should always keep regular accounts of the income and expenditure connected with the endowment villages, separately, from the accounts of the Jahagir villages, allow the Officers of the Mysore Government to inspect those accounts and also send a statement of receipts and expenditure every year to the Government in the Muzrai Department thro' the Deputy Commissioner of Mysore.

M U Z R A I.

Read again:

Government Pro.No.C.10-12/ Muz.F.28-96, dated 17th October 1896, directing that the temple at Sivasamudram and the Inam villages endowed thereto be taken over - - under the direct management of Government in the Muzrai Department.

2. Government Pro.No.802-3/Muz.F.28-96, dated 22nd January 1897, rejecting the petition of Annamalai Ammal mother and guardian of the minor Jaghirdar of - - Sivasamudram praying for a review of the Government - - order read above.

3. Letter No.907/5, dated 1st May 1902, from the Deputy Commissioner, Mysore District, to the address of the Secretary to Government, General and Revenue Department, submitting a statement shewing the annual collections and expenditure under all heads of the Purigal and the Kaglipur villages endowed to the temples for 12 years 1889-90 to 1900-01. And

4. Correspondence ending with endorsement No.2125 dated 25th April 1904, from the First Assistant to the Hon ble the Resident in Mysore, forwarding copy of letter No.391/Confl. 66, dated 12th Idem, from the Secretary to the Government of Madras on the subject of the management of the temples and charitable institutions connected with the estate of the minor Jaghirdar of Sivasamudra

------:0:------

Order thereon 552-4 Muz-F.No.28-96 dated 2nd August 1904

The villages of Purigal and Kaglipur in the Malavalli Taluk, which were granted in 1829 to the Jaghirdar of Sivasamudram for the maintenance of the temples and other charities established by him at Sivasamudram

have been under the direct management of the Government of Mysore from the year 1889.

2. From the statement submitted by the Deputy Commissioner, which is hereto appended, it is observed that for the past 12 years, viz., from 1889-90 to 1900-'01, the total amount collected from both the villages was Rs.1,13,600-8-2, and the amount expended amounted to Rs.77.779-3-9, leaving a balance of Rs. 35,821-4-5 at the credit of the institutions in question.

3. The Government of Madras are desirous to have the management of these villages in the hands of the Court of wards and have requested the Government of H. H. the Maharaja, through the Hon'ble the Resident, to pay up to the Court of Wards the accumulated savings from the villages granted as endowment for these institutions and to hand over to the Court the charge of the villages. From the communication addressed by the - - Government of Madras to the Hon'ble the Resident, it is seen that a sum of Rs. 54,892-9-6 has been spent from the funds of the Jaghirdar's Estate on the maintenance and repair of the institutions, since the endowment villages came under the management of Government in 1889 and an additional expenditure of Rs. 1,661-5-2 incurred for work not yet paid for. Deducting from this amount the sum of Rs. 3,538-13-10 received from the Malavalli Taluk Treasury in 1890-91, the balance, viz Rs.53,015 -0-10 is said to be debited against the accumulated income of the villages.

4. It is estimated that a sum of Rs.20,000 will be required for putting the buildings into thorough order and an outlay of Rs. 5,294-15-9 is stated to have been already incurred on this account during the last 7 years. Necessary action is promised to be taken for the early restoration of the temples and the chattram as soon as the surplus income of the endowment villages

has been placed at the disposal of the Court of Wards. t is also assured that the work will be supervised and carried out by the Madras P.W.D. with the assistance of any Mysore Officers acquainted with local Hindu architecture, whose services the Mysore Government may be will -ing to lend for the purpose. On these conditions, they request payment of the accumulated surplus income of the endowment villages,. In letter No.1181, dated 23rd December 1901, the Madras Government have also undertaken on behalf of the minor Jaghirdar, the transmission of an annual statement of receipts and disbursements of the trust funds to the Durbar as the grantor of the endowment.

5. As regards the villages themselves, the Govern -ment of Madras have stated that during the administration of the Estate by the Court, the Mysore Government need not apprehend mismanagement; that when the Jaghir leaves its hands every endeavour will be made to provide the Jaghirdar with a suitable agency to conduct the administration in a proper manner, and that it will always be open to the Mysore Government, in case the endowments are mismanaged in future by the Jaghirdar, to reattach the villages.

6. In regard to the observations contained in paras 5 and 6 of the Muzrai Deputy Secretary's letter No.960/Muz.F.28-96, dated 8th November 1902, the Government of Madras have finally agreed to the temple jewell ery being left in the custody of the minor Jaghirdar's mother as suggested by this Government.

7. With the assurance now given, the Government of H.H. the Maharaja deem it reasonable to comply with the request of the Madras Government. The Deputy Commissioner of the Mysore District is accordingly requested to hand over the management of the villages of Kurigal and Kaglipur to the Court of Wards who have

been requested, through the Hon'ble the Resident, to nominate an officer to take charge of them. The Comptroller to Government is requested to make necessary arrangements, in communication with the Deputy Commissioner, to pay into the Hon'ble the Resident's Treasury the accumulated net surplus of these villages, which amounts to Rs. 35,821-4-5, as noted in para 2 above, up to the end of 1900-'01. A statement should be submitted at a very early date by the Deputy Commissioner of Mysore showing the surplus of the years subsequent to 1900-'01, with a view to its also being remitted to the Resident's Treasury.

"C O P Y *

Dated Bangalore, 9th February 1900

No.855 Muz.F.28-9(

From

The Muzrai Secretary in Mysore,
Bangalore.

To

The First Assistant to the
Hon'ble the Resident in Mysore, Bangalore.

Sir,

I am directed to acknowledge receipt of your letter No.536/238-95 dated 30th January 1900 and in reply to that part of it which related to the decision of the Government of Madras to retire from the management of the Sivan Samudram Temples. I am to state that the Government of Mysore will assume management of the said temples and connected charities and administer them in the same manner as other Muzrai Institutions in the State are administered, a separate - - account being kept of the income and expenditure. The temples and charities will be duly maintained accordingly to the proper Tasdik (scale of expenses).

2. It is reported that the temples etc., are in a state of disrepair. Arrangements will now be made to restor them to a state of good repair, as far as funds permit.

3. As soon as intimation is received as to when the collector of Coimbatore will hand over the management of the Institutions in question to the Durbar, a proper Officer will be deputed to proceed to Sivasamudram to take over charge thereof.

4. It is believed that some money has been expended by the Coimbatore authorities for the maintenance of the temples etc., during the last three years. On receipt of a statement of any moneys so expended the same will be repaid out of the balance now in the Mysore Treasury to the credit

of the Institutions in question.

5. In regard to the minor Jaghirdar's education, at Madras, a separate communication will be submitted from the General Department.

" C O P Y "

Letter No. 879 dated 26th December 1899 from the Government of Madras.

-----:0:-----

"After a careful consideration of the matter, H.E. the Governor in Council is of opinion that the Madras Court of Wards should not attempt the management of any part of the Estate in Mysore Territory nor concern itself with the management of temples endowed by the Mysore State

MEMORANDUM.

SIVANSAMUDRAM JAGHIR.

I have carefully studied the questions connected with the Sivansamudram Jaghir raised in the Resident's Note dated Ootacamund, 5th June 1898, copy of which was forwarded to me with his D. O. of the same date. In studying these questions, I have derived much help from the papers marked A to K appended as enclosures to this Memo.

2. The original sannads have now been sent for and examined. There is no doubt regarding their genuineness, and enclosures A and B are true copies in Kanarese of the original sannads. The abstract English translations of these sannads previously forwarded to the Resident may now be marked A^1 and B^1 to distinguish them from the Kanarese copies (enclosures A and B). The former copies from which abstracts A^1 and B^1 were prepared, correspond with the original sannads barring a few unimportant clerical errors.

3. In regard to the Mysore Bridge sannad (copy A and abstract A^1), I agree with the Resident that the grant contains no condition for the maintenance of the bridge. The intention may have been different, but the Mysore sannad, granted when the bridge was under construction, failed to express that intention, and we cannot therefore now enforce the condition of maintenance as a part of the tenure of the Mysore villages (Belakawadi and others). The Jaghirdar's obligation to maintain can therefore be enforced by the Mysore Government only with reference to the Tolls which that Government has authorized him to collect. As regards the villages of Sivansamudram and Sattyagul granted by the Madras Government under sannad dated 15th March 1836 (*vide* enclosure D), I believe the perpetual maintenance of the two bridges seems enforceable as a condition of the tenure on which the Jaghirdar holds these villages from the Madras Government.

4. Turning next to the terms upon which the villages of Purigul and Kaglipur were granted by the Mysore State (*vide* sannad B), I have no doubt that the obligation to maintain the Sivansamudram Temple and other charities attaches to the Jaghirdar as the express condition upon which he holds those villages. The sannad, no doubt, is loosely worded, but the grant was intended for the benefit of the charities, and this intention is expressed in very distinct terms in the sannad. The sannad first recites the grantee's prayer for a Jaghir as follows:— "Your grandfather having petitioned the Huzur that, in lieu of Belakawadi &c., other villages may now be granted for the purpose of perpetually maintaining the said charities." Then follows the grant in the following terms:— "We have granted you as Sarvamanyam these two villages for the perpetual maintenance of the charities made by your grandfather Ramaswami Moodeliar." Then comes the following direction in very clear terms:—"You and your sons and grandsons in hereditary succession are to realize from this Virodhi year all proprietary rights" (which are enumerated in detail) "appertaining to these villages, and to realize whatever increased income you can, in whatsoever item, and by making tanks, channels and *anes* and to use (the said realizations) so as to maintain perpetually the said Restoration Charities and cause prayers to be offered for the prosperity of the Sirkar before Sri Ranganathaswami." I append for convenience of reference a revised abstract B^1 of the sannad.

5. Under such circumstances, the obligation to maintain the charities must be regarded as the paramount condition of the grant, and all powers conferred on the grantee must be construed as subordinate to it and as governed by it. Powers of alienation have been expressly conferred upon the grantee, but it would be unreasonable to contend that the Jaghirdar can exercise these powers for his personal benefit. Occasions for the exercise of these powers *for the benefit of the charities* can be conceived as capable of arising, and it is only on such occasions that the

grantee can be permitted to exercise them. The grant of alienation powers and full rights of ownership, including the eight rights known as *Ashta Bhoga Samyas*, only indicates that the State reserved for itself no residue of right, but conveyed the whole *corpus* of the right to the grantee for the benefit of the charities.

6. The charitable nature of the grant not only flows from the ordinary construction of the terms of the sannad, but is abundantly clear from the subsequent conduct of the grantee and of the Government. When the British Government assumed the administration of the State in 1830 on grounds of mismanagement, one charge of mismanagement advanced against His Highness Krishnaraja Wadayar III was the granting away of villages in Sarvamanyam to favorites for unworthy objects. Pending investigation of this charge, Inams granted by Krishnaraja Wadayar III were placed under attachment. The Inam villages in question were excluded from such attachment in consideration of their charitable character. The correspondence relating to this matter must be among the State records transferred to the Residency upon the Rendition in 1881, but some information regarding it is to be found in enclosures H and G. H is apparently a memo submitted by Ramaswami Moodelliar pleading exemption from attachment for the villages in question, on the ground that the grant was not for his "personal enjoyment," but for the purpose of "the particularly remarkable charity," and on this memo there is a pencil note (probably in Sir Mark Cubbon's own hand). G is the draft of the Mysore Commissioner's letter to Secretary to the Governor General dated 27th May 183 4.

7. Again, what can be more conclusive than the terms of the title-deed (enclosure I) granted for the villages at the Inam Settlement? This title-deed, dated 1st July 1880, was granted in favor of "Ranganathaswami and Agrahar &c., at Sivasamudram," Mr. T. Anandaraya Moodeliar (the Jaghirdar) being registered as merely "manager for the time being." The Jaghirdar cannot now be allowed to get behind the settlement made eighteen years ago, or to claim any personal benefit to himself from the villages which the Inam Settlement confirmed to the charities, recognising the Jaghirdar as a mere manager, and therefore as a Trustee.

8. The Government has always the power to resume absolutely, or to assume temporary management of, a "Devadaya" Inam if the object of the grant is not duly maintained. Purigul and Kaglipur are clearly "Devadaya" Inams, both under the terms of the original sannad and the Inam Settlement of 1880. There undoubtedly was gross neglect of the charities on the part of the Jaghirdar, and owing to such neglect the Mysore Government felt compelled to exercise its right of assuming temporary management of the village by its Order of 17th October 1896.

9. The original assumption of management in February 1890 was for a totally different purpose, namely, the recoupment of the cost of restoring the channel irrigating the lands of Purigul. The circumstances which led to this work being undertaken and carried out by the Darbar are fully explained in the orders of Government issued from time to time, and in the Memo dated 9th May 1898 forwarded to the Resident with my D. O. of same date. The assumption of management in February 1890 in the Revenue Department for the recovery of the cost of channel restoration and the assumption of management in October 1896 in the Muzrai Department were two totally distinct acts, and the Government management which commenced under the first came to be continued under the second.

10. When I decided in 1889-90 to advance the cost of channel restoration, and to recover it from the revenues of the village in a series of years, and when afterwards for the purpose of carrying out this decision the management of the village was taken over by the Government, I had not the faintest notion that it would be found necessary at some later time to attach the village on the ground of mismanagement of the charities. The charities were then under the management of the Jaghirdar's mother through her brother and agent, and the Goverr-ment had no intention of disturbing this arrangement, but offered to apply the annual revenues of the village *first* to pay the expenditure on the charities as incurred by Jaghirdar, and secondly to pay the balance, if any, towards the Government loan. This plan of application of the revenues of the village has not been carried out (except as regards Rs. 3,538-13-10 paid for temple expenditure in 1892-93 and 1893-94), because the agent for some

reason of his own preferred not to apply to the Government for the funds required for temple expenditure. His allegation is that he found the money required from the Jaghirdar's personal estate and spent the full amount according to the sanctioned scale upon the temple and connected charities. How far this allegation is true, and what actual amount he really spent upon the temple, are matters which can only be satisfactorily investigated by the authorities in Coimbatore where the temple is situated. But the point on which I wish to lay particular stress for the purpose of the present enquiry is, that the non-payment of the village revenue for temple expenditure to the extent sanctioned by Government was *not* due to any unwillingness on the part of the Durbar or its officers to make such payments or to any desire on their part for the speedy repayment of the Government loan. It was solely due to the Agent's failure to apply to the Government for the funds wanted for temple expenditure. If he had applied for funds (in the same way as managers of similar institutions), the required payments would have forthwith been made to him from the Taluk Treasury, within the limits both of the Tusdik (sanctioned scale) and of the amount of the village revenue already realized and in the Treasury. But he was apparently anxious that the Government management should cease and the village should come back to his own management as speedily as possible, and as this could happen only after liquidation of the Government loan, he chose not to ask for any part of the village revenue for temple expenditure. It may be asked why the local Revenue authorities did not notice this omission on the Agent's part, and why they did not enquire whether the temple and connected charities were being maintained and how any expenditure was being met. No doubt for this non-action they are to blame, as indicating the absence of zeal on their part in a matter in which the public are interested, but at the same time some allowance must be made for the fact that the proceedings so far were only in the Revenue Department, and the duties of this Department were confined to the revenue management of the village, to recovering its revenue and paying therefrom towards temple expenditure, reduction of Government loan, &c., in accordance with the recorded sanctions. It must also be remembered that the Jaghirdar and his Agent had always been sole managers of the temple and had not been subject to any supervision by the Mysore Government officers. The temple moreover was outside Mysore limits.

11. The non-payment of the village revenue for the purpose of temple expenditure cannot be pleaded by the Agent as an excuse for any neglect of charities. He himself does not advance any such plea. He rather says he spent the full amount according to the sanctioned scale, but obtained the money not from the village revenue which was available for the purpose but from the Jaghirdar's private estate. The sanctioned scale of annual expenditure on the temple and connected charities is Rs. 3,430-13-10. According to the Jaghirdar's Muzrai Accounts, the actual expenditure incurred during the 7 years from 1889-90 to 1895-96 (both inclusive) is Rs. 24,303-2-2, which gives an average annual expenditure of Rs. 3,471-14-0, showing a slight increase over the sanctioned scale. During the 8th year up to 31st January 1897 the expenditure by the Agent is given as Rs. 2,410-13-2. The total expenditure by the Agent up to 31st January 1897 is thus Rs. 26,713-15-4. Towards this expenditure a sum of Rs. 3,538-13-10 was paid out of the village revenues under Government management in 1892-93 and 1893-94, and the balance Rs. 23,175-1-6 is the amount claimed as due to the Jaghirdar's personal estate. This claim omits to give credit for Rs. 11,017-6-6 which the Jaghirdar's mother is shown to have collected and to have had in hand on the transfer of management to Government in February 1890. What became of this amount will be enquired into in settling the Jaghirdar's account with the temple.

12. The charities have been neglected during a long series of years, and no part of the neglect for which the villages were placed under attachment can be attributed to the Agent getting the funds for temple expenditure from the Jaghirdar's personal estate instead of from the village revenue. A lack of sufficient attention to the affairs of the charity on the part of the Jaghirdar was observable ever since 1857. So far back as 1875, Colonel Hay found the village in a miserable state, the Agrahar houses deserted and in ruins, the streets overgrown with vegetation, the temples all much neglected, and not more than Rs. 100 per month

being spent upon them. This condition of things has doubtless been growing worse, year after year, but until quite recently no practical steps to effect an improvement were taken either by the British Government in whose jurisdiction the charities are situated, or by the Mysore Government which had made valuable grants for the maintenance of the charities. The first step towards effecting an improvement was taken in 1889-90, when the Durbar restored the channel and thereby placed the charities on a very satisfactory footing as regards income. No control of the expenditure was attempted till October 1896, when the Durbar resolved to assume, in the Muzrai Department, the management of the charities and of the villages forming their endowment. The villages were already under Government management, in the Revenue Department, but not for the purpose of controlling the expenditure on the charities, and it was deemed advisable to place both the income and expenditure under the control of the Muzrai Department. Till October 1896, that department had no recognised function as regards the institutions, which, being situated outside Mysore and not receiving money payments included in the Muzrai Budget, did not in any way come within the control of that department. Under such circumstances, the Muzrai Department cannot be charged with any inattention to these institutions. Indeed, even after the orders of 17th October 1896 it had not been able to attend to them, as on the 9th January 1897 (that is, between the orders of the Mysore Government dated 17th October 1896 directing assumption of management by Muzrai Department, and those of 22nd January 1897 rejecting the application of the Jaghirdar's mother for a revision of the orders of 17th October 1896) the British authorities assumed the management on behalf of the minor, and the Durbar officers could not assume and have not assumed the management. I don't think the Mysore Government has any valid *locus standi* in the matter of managing the institutions, though it has a right to see that the income of the endowment villages is spent in due fulfilment of the object of the grant, and when it is not so spent, to place the villages under attachment or special management.

13. In the matter of the temple jewels, the Mysore authorities could not take action except under the ordinary criminal law or on behalf of the temple concerned. The possession of the jewels necessarily goes with the management, and when on a previous occasion the mother of the minor Jaghirdar (and her brother and agent) showed an unwillingness to produce them for inspection, I saw therein no reason to apprehend that they had been lost or misappropriated. I saw in it only some resentment at Government interference with the affairs of the temple which, according to their view, was quite a private concern with which no one had a right to interfere. Her contention regarding the jewels always was that there were no temple jewels as separate from the family jewels, and that some of the family jewels were from time to time used in the temple, and she could not differentiate between family and temple jewels. This contention is much the same as the one that the Inam villages are personal property of the family and that the Jaghirdar had been maintaining the temple from the income of these villages and from other personal property. Until a legal demand could be made for the production or delivery of temple jewels, she could not as the *de facto* manager entitled to their possession be proceeded against, and until she could be legally divested of the management no such demand could be made. In the matter of these jewels, and in that of the temple affairs generally, it was impossible to take any useful action until she was divested of the management; and the orders of the Government dated 17th October 1896 endeavoured to effect such divesture by the transfer of the management to the State Muzrai Department. But her divesture was effected in quite another way, namely, by the Madras authorities assuming, on 9th January 1897, the management on behalf of the minor as already stated. The requisition* in the matter of temple jewels from the Madras authorities after their assumption of the temple management, strengthened the position of the Mysore officers, and they (the Muzrai Superintendent and the District Magistrate) accordingly experienced no difficulty in inducing the minor's mother to produce the jewels for inspection as reported in the Officiating Dewan's letter to Resident No. 50 D, dated 12th March 1898. A further examination of the jewels has since been made, and the Assistant Commissioner's report of this examination, No 222, dated 5th May 1898, will be forwarded to the Resident separately.

*As per the First Assistant Resident's D. O. dated 23rd February 1898.

14. With reference to para 11 of the Resident's Note dated 5th June 1898, I beg to state that the Darbar gladly accede to the management of the temple and charitable institutions at Sivansamudram by the British authorities during the minority of the Jaghirdar. The Inam villages of Purigul and Kaglipur will continue under attachment and Government management during the said minority, and the money required for the upkeep of the temple and charities will be remitted by the Deputy Commissioner of Mysore to the Deputy Collector of Kollegal upon requisitions from the latter. I shall be very glad to depute the Muzrai Superintendent to meet the Deputy Collector of Kollegal at Sivansamudram and settle a definite programme for—

(a) the establishment required for the service of the temple and the upkeep of the charities; and

(b) the repair and renewal works.

I agree to their being entrusted with the settlement of the Jaghirdar's account with the temple &c., referred to in para 11 of this Memo, and any amount found to be due to the minor's estate from the temple will, if desired, be paid by the State, which will recoup itself for such payment from the surplus income of the villages after meeting the reasonable requirements of the temple and charities in accordance with the intention of the Government as contained in Government Proceedings dated 7th—10th December 1894.

15. Mr. Bhabha, the Inspector General of Education, will be instructed to do what he can to ensure that the minor's training is not neglected.

K. SHESHADRI IYER

NOTE.

Sivasamudram Jahgir.

Before I can deal with this case and send a comprehensive reply to the Madras Government, it is necessary that I should ascertain how far the impressions I have formed from a perusal of the papers are correct. The following Note is therefore written for submission to the Dewan, in the hope that he will be kind enough to inform me whether the conclusions at which I have arrived are accepted by the Durbar—if not, in what direction they are susceptible of modification.

2. I understand that the six villages which were given in A. D. 1829 to the then Jahgirdar in "Inam," who was reported to be "*constructing at a heavy cost a substantial stone bridge*"......"*on the western branch of the Kaveri*" are now in the possession of the Jahgirdar's mother, and are managed by an official deputed for this duty by the Durbar. This arrangement, which is obviously the best one in the interests of the Jahgirdar, is said to work well. No change is desired either by the Durbar or the mother; I do not, therefore, propose to allude further to these villages. I would, however, invite attention to paras 2 and 3 of the Dewan's Memo of the 9th May 1898. I am not sure that I follow the exact significance of the language employed, and shall be glad to be corrected if I am laboring under any misapprehension in special reference to the opening sentence of para 3.

(*Vide* Sanad A.)

3. The position in 1829 seems to have been as follows:—

In 1826 the Jahgirdar had been granted certain villages as "*Sarvamanya*" in consideration of having "*restored Sivasamudram and constructed a bridge and Agrahar therein.* The six villages granted, or rather re-granted under different tenure, in 1829, were for a bridge then under construction, or to be constructed, spanning the western branch of the Kaveri. A bridge was evidently then already in existence in Sivasamudram. It is referred to in the recital of Sanad A. The re-grant of 1829 (Sanad A) was made to meet the cost of construction—not, as the Dewan says, for the maintenance of the bridge. These charges were presumably to be met from tolls or ferry fees. This distinction is important as the structure is in need of repairs, and it will, unless this question has already been settled, be necessary, the point having been raised by Madras, to determine who is responsible for maintenance. The Jahgirdar is apparently not liable unless he collects the tolls. If he does collect, it seems worth considering whether the arrangement should be allowed to continue, and if so, under what safeguards in the matter of compelling him to keep the bridge in proper repair.

(*Vide* Sanad A.)

4. Turning now to the three points which claim attention, *viz.*—

(*a*) The management of the two villages granted to the Jahgirdar in 1829 A.D., as Sarvamanya *for the maintenance of the six charities established by your grand-father.*

Purigal Kaghpur.

(*b*) The management of the charitable institutions in the island of Sivasamudram.

(*c*) The education of the minor Jahgirdar.

The questions involved in the management of the endowment villages are—

(1) The tenure on which they are held.

(2) The application of the Revenues during the period, since 1889, these two villages have been under "Kham" management.

5. There seems to be no doubt that the villages were granted originally for the upkeep of temples, &c., which the Jahgirdar had himself restored, and in the maintenance of which he was primarily interested. In the Order of the Mysore Government, No. 802-3—Muz., dated 22nd January 1897, it is said that the Jahgirdar is in the "*position of a trustee for The temple and charities, and is bound by all the principles and rules which govern the conduct of a Trustee as regards Trust property.*" This construction of the Sanad (marked B) appears to me somewhat strained, and would not, I venture to think, be accepted in other parts of India as a correct interpretation of a grant which conveys powers of alienation in such ample terms as "*The title to the minerals. ....will vest in you (grantee), and also the right of alienating the villages hereafter by mortgage, sale, gift, &c.* Surely, these powers are not those which a trustee could exercise. The privileges are, it may be noted, practically similar to those conferred (by the other Sanad of the same date) in respect of the six villages which were granted on a different tenure to recoup the expenditure incurred on the bridge over the Kaveri.

6. I assume that the copy of the Sanad produced is absolutely accurate. The document must in fairness to the grantee be construed literally in accordance with the meaning of the language employed, and as read by me it contains nothing beyond a moral obligation to expend the money derived in a specific manner, nothing that is to say which would compel the grantee to expend *all* the net revenue of the two villages on the temple and charities. Nor do I see how, according to the liberal powers conferred on him, he could be prevented from mortgaging the villages and encumbering them to an extent which would entirely frustrate the pious object of the granter. The sentence in Sanad marked B, commencing "*accordingly you are to enjoy*" certainly seems to empower the grantee with some discretion in the matter of applying the funds which accrue from the revenue of these two villages. The case has to be explained to the Madras Government who are entitled to receive sufficient particulars to enable them to understand exactly how the case stands. I must therefore be perfectly sure of my ground as regards the terms upon which the villages are held, before addressing them. Possibly the conditions obtaining in Southern India may be different from those which have come under my notice in the North in dealing with very many similar tenures. In most Native States there is considerable laxity in the enforcement of the main conditions of such grants, the custom being to leave them severely alone—but there can be no doubt that ordinarily land granted for the service of a Temple is liable to immediate resumption, should the service fail or the land be mortgaged or sold—but then such grants are, as a rule, worded so as to render the gift or alienation, by Government, of its Revenue right, as far as possible, impersonal such for instance as "this grant is made for *punyarth* in the Mandir of Sri Swami, &c., &c., of which Babu... ..... is pujari," and I do not remember, out of the hundreds of Sanads which have come before me, ever to have seen one which specially and in such unrestricted terms authorized the grantee to sell, mortgage, or give away or exchange the land granted. It has been pointed out to me that the closing part of the Sanad is inconsistent with what precedes it. This does not however help the argument, as the descendant of the original grantee is entitled to all the benefit which the wording of the grant confers upon him—one of these benefits is the unrestricted right of alienation.

I shall be glad if the Dewan will, in consideration of the foregoing remarks, favor me with a further expression of his opinion as to the strictly legal interpretation to be placed upon the wording of the Sanad (B).

7. The suggestion that Purigal and Kaglipur should be managed by the Madras Court of Wards seems to me, on obvious grounds, quite untenable, nor does it seem necessary that the wishes of the Jahgirdar's mother in this matter should be considered.

It must not be understood that I question the policy of attaching the villages during the minority, or of having conferred upon one of them the immense benefit it has received by the repairing and extension of the Ramaswamy Channel.

8. This brings me to the application of the revenues of the two villages during their attachment. In referring to the orders of 1889-1894, I find that the original intention of the Durbar was expressed as follows:—Para 9, Memo of the Dewan, dated 6th June 1889.

* During the attachment.

In fixing the annual allowance to be made to the temple and connected charities from the Purigal village ..... the allowance should if possible be so fixed as to leave at least about 10 per cent of the debt as an annual payment towards its reduction.* That is to say, the debt should be paid off in about 10 years. Subsequently, however, in the Proceedings of the 10th December 1894, after noticing (para 4) that the *Temple Jasdik* was not susceptible of even temporary reduction, the Mysore Government decided that it should be maintained on its then existing basis—further that "*The liquidation of the Government debt will thus be postponed to the requirements of the Temple.*" This object was additionally emphasized by the observations in paras 5 and 6 of those Proceedings.

9. The intention of the Durbar that the temple and charities should be maintained at all hazards, the repayment of the debt occupying a secondary position, appears to have been entirely lost sight of, for, on referring to the statement of accounts sent to me with the Officiating Dewan's letter No. 48—D. dated 10th March 1898, I find that practically the whole of the loan of Rs. 35,000 plus interest, was repaid in 7 years to the practical neglect of the Temple and charities, which were apparently left to such liberality as the manager might care to dispense from sources other than the specially endowed ones. From 1889 to 1891-92 nothing was paid.* Payments aggregating Rs. 3,538-13-10 were made by the Mysore Government managing agency to the temple and charities in 1892-93 and 1893-94; but in the following year, as over Rs. 12,000 was taken for the debt, there was naturally not much left for the temple and charities, and they received nothing—nor was anything paid for their upkeep during 1895-96 or that part of 1896-97 to which the accounts relate. Under these circumstances it is perhaps not to be wondered at, that in October 1896 it was found that the Sivasamudram "*institutions are all now in a much neglected condition, the temple buildings being out of repair, and the services therein not performed regularly, whilst the other charities have altogether ceased to be maintained.*"

*See the remark in the statement prepared by the Sub-Division Officer, French Rocks, regarding the expenditure for Temples, &c., from 1889-90 to 1896-97. This possibly furnishes some explanation for the depletion of the Jaghirdar's cash balance which is noticed in the correspondence.

Probably mismanagement had existed in Sivasamudrum for many years previously, and for this the Jahgirdar was responsible, but it seems to me, from the papers before me, difficult to escape from the conclusion that the Durbar, either in their anxiety to recover their loan or owing to the misapprehension of orders by subordinate officials subsequent at least to their assumption of management, were contributory to the negligence with which, in 1896, they charged the Jahgir management. They were, as controlling the resources, masters of the situation, and even now the point as to why or how the Muzrai Department entirely failed to comply with the excellent principles laid down for its guidance appears to have escaped notice.

10. As regards the management of the temple and charities in Sivasamudram, I see in para 5 of the Order No. C. 10 – 12, dated 17th October 1896, that the Institutions were to be taken over and maintained by the Muzrai Department. It was also then ordered that the villages should be taken over and maintained by the Muzrai Department apparently unmindful of fact that they were already under attachment in the Revenue Department. I cannot understand why, though the valuable temple jewels were admittedly not forthcoming, in October 1896 nothing appears to have been done to secure them, up to March 1898, that is to say, until grave suspicions of theft or misappropriation had been aroused. So far indeed had the case gone that, in a public document, the Deputy Collector of Kollegal writing in February 1898, (his letter has been sent to me officially by the Collector) accused the minor's mother of criminal misappropriation of the jewels, and suggested on the Tirupati precedent, that she should be prosecuted. This unfounded charge would not, it appears to me, have been made, had ordinary diligence been exerted in the management which the Durbar had assumed

Ample information enabling the Muzrai Superintendent to trace the jewels, was available and para 2 of the Officiating Dewan's letter No. 50— D. dated 12th March 1898, shows that no difficulty whatever was experienced in inducing the Jahgirdar's mother to allow the jewels in her possession to be inspected

11. The Dewan has wisely, I think, agreed that the temple and charitable institutions at Sivasamudram should be managed by the British Authorities during the minority of the Jahgirdar. I presume that the two villages will remain under attachment, the money required for the upkeep of the temple, &c, being remitted direct to the Deputy Collector of Kollegal I shall be glad to know whether the Dewan has any objection to the Muzrai Superintendent meeting this officer and settling with him some definite programme for—*(a)* The establishment required for the service of the temple and the upkeep of the charities,—*(b)* The repair and renewal works—according to the money available. They might also consider whether the minor's mother is entitled to any—if so what—refund for the expenditure incurred by her for upkeep of the institutions, during the period the revenue of the two villages was realized by the Durbar.

12 The existing arrangements for the education of the minor may well be left undisturbed He is of no political importance and I see no advantage in sending him to Madras. At the same time I suggest that some one in authority under the Mysore Government be held responsible for seeing that the boy's training is not neglected On my return to Bangalore, before I write to the Madras Government, I should like to have an opportunity of seeing the young Jahgirdar.

OOTACAMUND,
June 5th 1898.

DONALD ROBERTSON,
Resident in Mysore.

Proceedings of the Government of His Highness the Maharaja of Mysore, Muzrai, dated 31st October 1914.

READ—

Government Proceedings No 762-4—Muz 28 of 1896, dated 8th August 1905, laying down certain instructions for the management by the Jahgirdar of Sivasamudram, of certain charities in the Island of Sivasamudram in support of which the villages of Purigal and Kaglipur in the Malvalli Taluk have been endowed by the State as Inam.

2 Memorial dated 27th July 1908, addressed to His Highness the Maharaja by Mr. T R. Anandaraya Mudaliar, Janopakarakarta, Jahgirdar of Sivasamudram, submitting that the villages in question were granted absolutely to the Jahgirdar subject to the burden of the proper maintenance of these charities and that the Jahgirdar is entitled under the Sannad to the benefit of any surplus income and praying that the above order of 8th August 1905 may consequently be recalled.

3. Revised petition dated the 20th May 1914, addressed to His Highness the Maharaja by Mr T. R. Anandaraya Mudaliar acknowledging on behalf of himself and his descendants that these villages are held in trust for the said charities to maintain regular and separate accounts of income and expenditure thereof and to allow inspections of such accounts by an officer of a grade not less than that of a Deputy Commissioner and requesting Government for a modification of their order under reference so as to accord due recognition to his status and position as a Jahgirdar holding grants both from His Highness the Maharaja of Mysore and His Imperial Majesty's Government.

No. 845-8—Muz. 790-08-7, DATED BANGALORE, 31ST OCTOBER 1914.

ORDER THEREON.—In view of the assurances of the Jahgirdar contained in his petition dated the 20th May 1914, read above, regarding the character of the grant made by the Sannad of 24th December 1829 and his own obligations, responsibilities and duties incidental to the trust that he is to manage, Government are pleased to lay down the following modified instructions: –

(i) The villages of Purigal and Kaglipur will be administered by the Jahgirdar as Devadaya Inam with the legal and customary obligations pertaining to such grants.

(ii) Regular accounts of income and expenditure connected with the endowment villages should be maintained separate from those of the Jahgir villages and an annual report on the administration of the charities should be submitted to Government by the Jaghirdar through the Deputy Commissioner of Mysore, noting briefly the income and expenditure under the various heads, the satisfactory conduct of the charities, improvements effected and other interesting matters.

(iii) The Inam villages, and their accounts, the institutions and their services should be open to the inspection of the Deputy Commissioner and the Muzrai Superintendent, and the Jahgirdar should render such assistance to these Officers, as may be necessary for efficient inspection.

(iv) The results of such inspections will be reported to Government by these officers, but any defects noticed or suggestions for improvement may be directly brought by them to the notice of the Jahgirdar for such action as may be necessary to be taken. In case the Jahgirdar should disagree with the recommendations of these officers, he will submit as early as practicable a brief report to Government, on the subject with his reasons therefor and shall abide by the final decision of Government in the matter.

D. M. NARASINGA RAO,
Offg Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Mysore District
The Muzrai Superintendent in Mysore
The Comptroller to the Government of Mysore
The Jahgirdar of Sivasamudram.

Exd.—K N.

1914-15

GOVERNMENT OF HIS HIGHN
THE MAHARAJA OF MYSOR

MUZRAI

PROCEEDINGS

Dated 31st October 1914

No. 845-8
Muz. 790-08-7

Laying down instructions for the management by the Jahgirdar of Sivasamudram, of certain charities in the Island of Sivasamudram in support of which the villages of Purigal and Kaglipur in the Malvalli Taluk have been endowed by the State as Inam.

GPB—91-11-14—20)

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

R e a d:--

Government Proceedings No.845-8/Muz.790-05-25 dated -- 31st October 1914, on the subject of the management by the ---- Jahagirdar of Sivasamudram of the temples and the Chattram in --- Sivasamudram and of the properties endowed thereto.

(2) Inspection Note of the Muzrai Superintendent, dated -- 19th November 1918.

(3) Letter No.316 dated 24th July 1919, to the Jahagirdar of Sivasamudram forwarding copies of an interpellation made at the meeting of the Legislative Council held on the 20th June --- 1919, and of the reply of Government thereto, and calling for a report on the defects brought to notice and also for his views on certain recommendations made by the Muzrai Superintendent for the better management of the institutions.

(4) Letter No.140 dated 29th September 1919, from the --- Jahagirdar of Sivasamudram furnishing replies to reporting on the defects pointed out indicated and stating that the recommendations made by the Muzrai Superintendent are not acceptable to him.

O r d e r No.

Dated Bangalore, the May 1920.

In Proceedings No.845-8 dated 31st October 1914, the Government have laid down instructions for the management of the Jahagirdar of Sivasamudram of the temples and Chattram at Sivasamudram for the support of which the villages of Purigal and -- Taluk Nagalapur in Malavalli have been granted as Inam.

2. The Muzrai Superintendent in his Note read above, - brought to the notice of Government several unsatisfactory

features in the Jahagirdar's management of the temples and --- the Chattram in Sivasamudram and their properties; and he proposed certain arrangements calculated to secure a better management of the affairs of the Institutions.

3. At the meeting of the Legislative Council held on 20th June 1919, it was brought to the notice of the Government that there was no ashtabandhanam to either the Siva or the Amirthavalli idol in the Siva temple, that the temple car which had been destroyed by fire 10 years' before had not been replaced, that no - cook had been appointed in the place of the man who had been removed 4 years previously and that the Chattram had not been working ever since.

The Jahagirdar was then requested to report on these -- defects and also to state his views on the proposals made by the Muzrai Superintendent for the better management of the Institutions.

4. In replying to the above reference, the Jahagirdar admits that the ashtabandhanam of the goddess in the Siva temple is not in a proper condition and has to be re-done, and that the -- ashtabandhana of Siva is partially out of order - he states that he would attend to them. As regards the car he states that one of the cars was destroyed by lightning over 10 years ago but -- that there is another big car which serves the purpose of both the temples. He is silent about replacing the car destroyed. In regard to the cook he says that no one will stay at Sivasamudram as a cook though offered a pay of Rs.15/- and that he will still try and get one, ~~and fix him up~~. In the mean while the --- travellers are said to be given raw rations, those that cannot -- cook getting their meals prepared by the temple servants.

The Jahagirdar is requested to take steps to get adjust the ashtabandhanam of the shrines and to replace the car by a -- new one within the next six months. As the services of a cook for the Chattram are very necessary, the Jahagirdar is requested to arrange for the employment of one as early as possible, fixing the pay of the appointment if necessary.

5. Referring to the proposals of the Muzrai Superintendent for the better management of the Institutions, the Jahagirdar --- states that they are prejudicial to the exercise of the powers -- vested in him under the Government Order 31st October 1914 read - above. Whatever may be the force of the Jahagirdar's representation against some of the other proposals of the Muzrai Superintendent, Government consider that there can be no valid objection to the fixing of a definite scale of tasdik expenditure for each of the temples and the Chatteram so as to ensure that these institutions are properly maintained on a level of efficiency consistent with the income from the two villages of Purigal and Kaggalipur endowed as Devadaya Inam thereto; or to the prescribi of a definite set of Registers and Accounts to be maintained in respect of the receipts and expenditure of the funds of the institutions. In fact these measures will be helpful to the Jahagirda himself in controlling the work of his own establishment with refe ence to the affairs of the Institutions.

The Muzrai Superintendent is therefore requested to fix up appropriate tasdik scales of expenditure in respect of each of the - institutions in consultation with the Jahagirdar and the Deputy Commissioner of the Mysore District and also to ~~frame up~~ prescribe suitable for s of accounts to be maintained by the Jahagirdar in respect of the management of the Institutions and to submit the proposals for the - approval of the Government.

6. The Jahagirdar will be requested to submit the accounts to be submitted to the Government by him with the annual report t balance at the credit of each of the Institutions at the end of each year and how such balance is invested. This balance should be kept distinct from the other balances of the Jagnir accounts and should be so invested as to be ~~xxxdix~~ readily available for any extra ordinary expenses - such as repairs of temples, etc., at any time.

(Sd) ?

Secretary to Government,

Muzrai Department.

To

5. Referring to the proposals of the Muzrai Superintendent for the better management of the Institutions, the Jahagirdar --- states that they are prejudicial to the exercise of the powers -- vested in him under the Government Order of 31st October 1914 read - above. Whatever may be the force of the Jahagirdar's representation against some of the other proposals of the Muzrai Superintendent, Government consider that there can be no valid objection to the fixing of a definite scale of tasdik expenditure for each of the temples and the Chattram so as to ensure that these institutions are properly maintained on a level of efficiency consistent with the income from the two villages of Purigal and Kaggalipur endowed as Devadaya Inam thereto; or to the prescription of a definite set of Registers and Accounts to be maintained in respect of the receipts and expenditure of the funds of the institutions. In fact these measures will be helpful to the Jahagirdar himself in controlling the work of his own establishment with reference to the affairs of the Institutions.

The Muzrai Superintendent is therefore requested to draw up appropriate tasdik scales of expenditure in respect of each of the - institutions in consultation with the Jahagirdar and the Deputy Commissioner of the Mysore District and also to ~~draw up~~ prescribe suitable forms of accounts to be maintained by the Jahagirdar in respect of the management of the Institutions and to submit the proposals for the - approval of the Government.

6. The Jahagirdar will be requested to submit the accounts to be submitted to the Government by him with the annual report the balance at the credit of each of the Institutions at the end of each year and how such balance is invested. This balance should be kept distinct from the other balances of the Jagnir accounts and should be so invested as to be ~~readily~~ readily available for any extraordinary expenses - such as repairs of temples, etc., at any time.

(Sd) J. E. [illegible]

Secretary to Government,

Muzrai Department.

To

To

The Muzrai Superintendent in Mysore.

The Deputy Commissioner, Mysore District.

The Comptroller to Government.

HRR-4.

Copy of the above is forwarded to the Sahaghredar of Sirsi

for Secretary to Govt
(in Muzrai Department)